

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

JALEEL COURNEY, #M28472,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 23-cv-03788-SMY
)	
ANTHONY WILLS, KELLY PIERCE,)	
MOLDENHAUER, SARA McCLURE,)	
CONNIE DOLCE, HOUSE, KEMPFER,)	
ZACK CONNER, JOHN DOE 2-5, and)	
RHOADES,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

YANDLE, District Judge:

This matter is before the Court for case management. Plaintiff Jaleel Courney filed this civil rights action pursuant to 42 U.S.C. § 1983 on November 28, 2023. The Complaint survived screening pursuant to 28 U.S.C. § 1915A, and Plaintiff was allowed to proceed with claims against several defendants, including John Doe 2, 3, 4, and 5, once identified by name. (Doc. 12). Warden Anthony Wills was responsible for responding to discovery aimed at identifying them. *Id.*

Pursuant to the John Doe Identification Order entered May 28, 2024, Plaintiff was required to identify the unknown defendants by filing a motion for substitution of defendants or a motion setting forth additional steps required to identify them by July 30, 2024. (Doc. 26). He was warned that his failure to do so within this timeframe would result in dismissal of Defendants John Doe 2-5 without prejudice. (*Id.* at 2) (citing FED. R. CIV. P. 41(b)). He was reminded of this obligation and the impending deadline on June 10, 2024. (Doc. 32). Plaintiff nevertheless missed the deadline on July 30, 2024, and he did not seek an extension of time to identify John Doe 2-5.

Accordingly, Defendants John Doe 2, 3, 4, and 5 are **DISMISSED without prejudice** from this action based on Plaintiff's failure to comply with the Orders of this Court to identify them or set forth additional steps required to do so (Docs. 26). *See* FED. R. CIV. P. 41(b). The Clerk of Court is **DIRECTED** to **TERMINATE** these defendants as parties in CM/ECF and enter judgment against them at the **CLOSE** of this case.

The Court will separately enter a Scheduling and Discovery Order as to all remaining claims and defendants.

IT IS SO ORDERED.

DATED: August 16, 2024

s/ Staci M. Yandle
STACI M. YANDLE
United States District Judge